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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION TWO**

Adoption of L.H., a Minor.

H.H., SR., et al.,

Plaintiffs and Respondents,

v.

W.H. et al.,

Defendants and Appellants.

E055455

(Super. Ct. No. HEA000395)

OPINION

Adoption of H.H. III, a Minor.

H.H., SR., et al.,

Plaintiffs and Respondents,

v.

W.H. et al.,

Defendants and Appellants.

(Super. Ct. No. HEA000396)

Guardianship of L.H. et al., Minors

J.H. et al.,

Petitioners,

v.

W.H. et al.,

Objectors.

(Super. Ct. No. HEP000346)

APPEAL from the Superior Court of Riverside County. Kathleen Jacobs, Temporary Judge. (Pursuant to Cal. Const., art. VI, § 21.) Affirmed.

Roni Keller, under appointment by the Court of Appeal, for Defendant and Appellant W.H.

Linda Rehm, under appointment by the Court of Appeal, for Defendant and Appellant H.H., Jr.

Law Office of Quinton R. Swanson and Quinton R. Swanson for Plaintiffs and Respondents.

In 2004, H.H., Sr., (Grandfather) and J.H. (Grandmother) (collectively, the grandparents) were appointed the legal guardians of H.H. III, L.H., and C.H. by the state of Virginia. H.H., Jr., (Father) was in prison for manufacturing methamphetamine, and W.H. (Mother) had been manufacturing methamphetamine in the family home and had been convicted of three counts of child endangerment. In 2006, the grandparents were appointed legal guardians by California. In December 2010, the grandparents filed petitions for freedom of parental custody and control to have the parental rights of

Mother and Father terminated and sought to adopt L.H. and H.H. III (collectively, the children).¹ Father and Mother objected to the adoption and termination of their parental rights. After a hearing on the matter, the trial court terminated parental rights pursuant to Family Code section 7825² and freed the children for adoption.

Mother and Father both essentially claim that the trial court erred when it granted the grandparents' petition to free L.H and H.H. III from their control based on a lack of evidence supporting termination under both sections 7822 and 7825.

I

PROCEDURAL AND FACTUAL BACKGROUND

A. *Guardianship*

On May 12, 2006, the grandparents filed a petition for appointment of guardian of 8-year-old H.H. III, 5-year-old L.H., and 14-year-old C.H. According to the petition, the State of Virginia had previously granted the grandparents legal guardianship of the three children.

On June 23, 2006, Grandmother filed further information regarding how she and Grandfather obtained custody of H.H. III, L.H. and C.H. According to this document, on November 1, 2004, the State of Virginia granted custody to the grandparents. On August 7, 2006, a probate investigator with the Riverside County Superior Court completed an investigation of the grandparents. Grandmother was 63 years old and retired. She was generally in good health. She and Grandfather had married in 1964. In addition to

¹ C.H. had reached majority.

² All further statutory references are to the Family Code unless otherwise indicated.

Father, they had a daughter, D.G. Grandfather was a retired teacher and continued to be a substitute teacher. He had no serious medical problems. The grandparents owned their own home and had a steady monthly income from retirement and investments.

According to the report, on May 27, 2004, H.H. III, L.H. and C.H. were all placed in emergency foster care in Virginia. Father was already incarcerated for drug charges. Mother was running a methamphetamine laboratory out of the home. Mother was teaching C.H. how to manufacture methamphetamine. There was a high level of toxicity in the home. Father was not scheduled to be released from prison until 2014, and Mother was convicted in Virginia of three counts of child endangerment. On August 22, 2006, the Riverside County Superior Court granted legal guardianship of H.H. III, L.H. and C.H. to the grandparents.

According to a progress report for the legal guardianship filed on August 22, 2007, in April of that year, Mother had filed a request in Virginia to regain custody and control of the three children. C.H. was forced to testify that she did not want to return to Mother's custody. L.H. was traumatized by Mother telling her that she was going to take her back to Virginia. A therapist sent a report to the Virginia court that all three children were doing well in the grandparents' custody. C.H. had concerns about returning to Mother's care due to past behaviors of verbal and physical abuse. C.H. had been forced to take care of her siblings due to her parents' drug use. On April 26, 2007, a Virginia court continued guardianship with the grandparents. Mother was granted visitation during the summer and was allowed regular phone calls. Meanwhile, while in the

custody of the grandparents, all three children were doing very well in school and had nearly perfect attendance.

Another guardianship status report was filed on August 10, 2009. It revealed that Mother never visited the children or invited them to her home. The grandparents received no financial help from Mother or Father. The grandparents expressed concern that their retirement was being used up, and they needed financial assistance. The children continued to excel at school and had perfect attendance. At the hearing on the status of the guardianship, the trial court assured the grandparents it would try to get them some financial assistance.

Father wrote a letter to the trial court stating that Grandfather was complaining to the three children that he had no money and that they were the cause of his financial problems. D.G. and her husband, R.G., wanted to take custody of the children. Father accused Grandfather of suffering from dementia.

The juvenile defense panel was appointed to represent C.H., H.H. III, and L.H. On December 20, 2010, the guardianship for C.H. was terminated because she had reached the age of majority. The trial court affirmed it had received a letter from Father complaining about the care by the grandparents.

B. *Petition for Freedom of Parental Custody and Control and Request for Adoption*

On December 20, 2010, the grandparents filed their adoption request for the children. They also filed petitions for freedom of parental custody and control (the

petition), citing to sections 7610, subdivision (a) and 7611, subdivision (a).³ All three children were thriving in the care of the grandparents.

On January 21, 2011, a probation officer filed a report in the proceedings to free the children from parental custody and control. The grandparents reported that contact between the children and Father and Mother was inconsistent. In June 2010, Mother came to California but did not visit the children. C.H. did not allow Mother to attend her high school graduation. Mother paid no child support; her tax refunds were garnished. The probation officer was unable to contact Father.

Mother was interviewed and indicated that she had let the children be with the grandparents since 2004 because they were well cared for by them. She had completed probation for her criminal offense. She denied that she had abandoned her children.

Both children expressed their love for their grandparents to the probation officer and their desire to be adopted by them. C.H. recalled her childhood with Mother and Father. They forced her to make methamphetamine and to smoke marijuana. She was afraid for herself and her siblings if they were returned to the parent's care. C.H. did not want Mother at her graduation.

The probation officer did not run a criminal history because the grandparents were not alleging in the petition at that time that termination was proper due to the criminal history of Mother and Father.

The probation officer concluded that termination of parental custody was appropriate under section 7822, subdivisions (a)(2), which pertained to intentional

³ These sections refer to the establishment of parentage.

abandonment by the parents, and (b), which was that only token communication was made, showing abandonment.⁴

D.G. and her husband, R.G., filed a petition for termination of guardianship by the grandparents and sought to take over the guardianship of the children. On May 2, 2011, they refiled the petition under Probate Code section 2650 as a petition for removal of guardian of a person. They referred to mental abuse they claimed that the grandparents were perpetrating on the children. They claimed that the grandparents consistently told the children that they were a financial burden and that they might have to go back to Virginia or be moved into foster care. D.G. and R.G. claimed the children were not allowed to talk to Mother and Father. They also alleged that Grandfather had slapped H.H. III on several occasions. They insisted that Grandfather was suffering from dementia and had heart trouble. Grandmother suffered from an autoimmune disease.

D.G. submitted a declaration stating that she was estranged from the grandparents because she suffered from abuse growing up and alleging the following: Grandfather had used excessive physical punishment as discipline. He had used a belt to beat her, leaving welts on her body. Grandfather repeatedly would punish D.G. and Father by throwing them against the wall. D.G. would bleed and have knots on her head. These events occurred repeatedly from the time she was five years old until she was 17 years old. D.G. also accused Grandfather of having an affair with another woman and engaging in lewd acts in front of her and Father.

⁴ The trial court took judicial notice of this report at the hearing.

Despite this alleged abuse, D.G. had sent her son, T.P., to live with the grandparents to help him in school. T.P. alleged that Grandfather was abusive. T.P. claimed one incident escalated to the point that Grandfather told T.P. he should just kill himself. T.P. took a razor and “softly” cut his wrist. He then ran across a nearby highway and called D.G.

D.G. claimed that the grandparents only wanted to adopt the children for money. D.G. had heard Grandfather call the children “stupid” and “retard.” D.G. had witnessed Grandfather slap H.H. III on the head. Grandmother had told D.G. that on one occasion Grandfather had thrown H.H. III across the room.

A reporter’s transcript of a hearing pertaining to the yearly updates on the guardianship, which was held on December 20, 2010, was attached to the termination petition. Grandfather admitted he complained about his financial problems in the presence of the children. Grandmother insisted that the children did not hear the complaints and that she wanted to continue the guardianship. Grandfather expressed at the hearing that he wanted to terminate the guardianship because it caused problems in his marriage and health. D.G. and R.G. also filed a petition for appointment of successor guardianship.

On May 24, 2011, the grandparents filed amended adoption requests. Their attorney also filed additional petitions for freedom from parental custody and control (the amended petition). They alleged that pursuant to section 7825, subdivision (a)(1) and (2), both Father and Mother were convicted felons, which demonstrated their unfitness to

have custody of the children. Mother had pleaded guilty on March 23, 2005, to three counts of felony child abuse, and Father was incarcerated on felony drug charges.

The petition and amended petition matters were to be heard first. D.G. also filed a suspected child abuse report alleging that the grandparents had gambling problems and belittled the children and that Grandfather threatened to get rid of the children. D.G. submitted a declaration that the children were exposed to dangerous chemicals and that Grandfather had been fired from his job because he almost hit his boss.

Father filed a trial brief. He argued that under section 7822 he did not intentionally abandon his children. Further, he was no longer addicted to drugs and was going to be released from prison in 2014.

Mother also filed a trial brief and a statement of facts. She claimed she had tried to stay in contact with the children and was thwarted by the grandparents. She could not afford to visit. She insisted she had not abandoned her children and that she was not unfit due to her criminal history. She was unemployed and lived with her own mother.

C. Hearing

Just prior to trial, the trial court noted that it had read the trial briefs. Counsel for the children expressed that the children loved the grandparents and wanted to stay with them. At the time of trial, C.H. was 19 years old, H.H. III was 14, and L.H. was 10.

Father testified via speakerphone from a correctional facility in Texas.⁵ He was set to be released on July 23, 2014, for his conviction of manufacturing 50 or more grams of methamphetamine for distribution. He claimed he never had chemicals in the house to

⁵ Father had been sentenced to 11 years to life.

manufacture methamphetamine; he did it away from the house. He did admit that a friend had left chemicals for making drugs on his doorstep. He had completed drug rehabilitation in prison. He had a job lined up when he got out of prison.

Father only let the grandparents take the children in 2004 because it was them or a stranger. He claimed that from 2006 until 2010 he called the children every Sunday. In 2010, the grandparents no longer accepted Father's calls. Father consistently sent the children birthday and Christmas cards. In August 2010, Grandfather threatened to terminate the guardianship and send the children to foster care. The last telephone contact he had was with C.H. in December 2010, and he was not allowed to talk to the other children.

Father had sent \$40 to C.H. in 2009. He claimed that Grandmother told him not to send more money because their state assistance would be terminated. Grandfather had yelled at him during a phone call in July 2010 about the children costing him too much money. Father claimed the children heard the conversation.

Father wanted the children to live with him once he was released from prison. He felt that adoption by the grandparents was not in the children's best interests. The grandparents were attempting to alienate the children from the rest of the family. Father claimed that C.H. told him that Grandfather had beaten up H.H. III over \$5 he had taken to pay for Boy Scouts. Father wanted R.G. and D.G. to assume guardianship.

H.H. III testified outside the presence of Father, Mother, and the grandparents. He wanted to be adopted by the grandparents. He expressed that Mother and Father did not help them, and he did not know why they wanted custody of him. He did not want to talk

with Mother and Father when they called. It upset him when Father would tell him they would all be a happy family when he got out of prison. The grandparents never prevented him from contacting Father and Mother.

Mother never came to visit. H.H. III did not want to talk to Mother because she discussed the family getting back together. H.H. III expressed that he was afraid of T.P. and did not want to live with D.G. and R.G. He had received a birthday card from Father on his last birthday. He had never heard Grandfather express that he was a financial burden. He wanted to stay with the grandparents.

L.H. also testified that she wanted to stay with the grandparents. She had been hurt by one of her cousins when she was at the residence of D.G. and R.G. Also, R.G. had taken the clothes off her dolls. She witnessed T.P. beat up H.H. III. She did not remember Father and Mother. She did not want to talk to Mother. She expressed that if Mother had loved her, she would not have been doing drugs. L.H. did not believe Father that they would be a happy family together. She did not want to live with D.G. and R.G.

The trial court then heard argument regarding whether termination under section 7825 could be granted without testimony. The trial court did not grant the request and wanted to hear testimony.

C.H. testified that she was taken away from Mother and Father when she was 12 years old. She claimed that there were chemicals throughout the two houses where they lived in Virginia that were used to make methamphetamine. She believed that they were dangerous. Father and Mother made drugs for themselves and their friends. Mother had

made her help by cutting up matches and dipping them in antifreeze. Mother tried to get her to use methamphetamine.

C.H. had had no contact with Father for over a year. The grandparents did not prevent her or her siblings from talking to him. She did not want to talk to Father because he would just lie to her and not listen to her. C.H. had not talked to Mother for a year. C.H. had asked Mother not to contact her anymore.

C.H. did not want to see R.G. and D.G. because they lied about the grandparents. She loved the grandparents. C.H. was in agreement with the adoption. Grandfather had never touched the children. C.H. also thought it was a lie that Grandfather had hit D.G. when she was a child.

Grandfather testified that he wanted to adopt the children because he loved them. He explained that when the children first came to him, he forced them to talk to Mother and Father. However, a therapist for the family recommended that the children not be forced to talk to their parents. Grandfather adamantly denied that the children heard him discuss financial problems.

Grandfather explained that he would get some assistance from Virginia if he were to adopt the children but that they would make it without the assistance. He never threatened that he would send the children to foster care. Mother had agreed to give up her rights but then changed her mind. Father at one point sent money for the children, but the grandparents could not accept it because they were receiving assistance from the state. Mother and D.G. had tried to come to the house during the prior summer, but the children did not want to see them.

Grandfather was very upset about getting no assistance from Virginia and California when he appeared in court in the proceeding in December 2010. The children were not present when he talked about terminating the guardianship because of lack of money.

Grandmother explained that she and Grandfather took custody of C.H., H.H. III, and L.H. because she herself had been in foster care, and she did not want the children to have to go through foster care. Mother never sent money for child support after 2008, and Father only sent money once. Grandmother did not want the children to go to foster care or to the custody of D.G. Grandmother felt like the children were her own. Grandmother believed that D.G. was only seeking custody because she was mad at Grandfather.

D.G. was 47 years old and had four children. She lived two hours from the grandparents. D.G. wanted to take the children in 2004 but was having back problems at the time. She claimed that the children did not seem to be happy and that Grandmother was always yelling at them. Grandfather had slapped H.H. III in the head in D.G.'s presence. D.G. claimed that the grandparents had informed her that once they adopted the children, they were going to move so that Father and Mother could never find them. D.G. wanted to see the children but claimed that Grandfather kept her from them. Grandfather would complain about finances in front of the children. Grandfather also said bad things about Father and Mother in front of them.

C.H. was the one who would determine if the children would speak to Father when he called. Father's calls were not taken on numerous occasions. Grandmother always

deleted messages from Mother. D.G. and Father were in constant contact, and he always asked about the children. Father told D.G. that he tried to contact the children weekly between June 2010 and December 2010.

D.G. felt that the children were being threatened into saying that they did not want to speak with Father and Mother. She wanted no relationship with her parents. D.G. and Mother had tried to visit the children in March 2011, but they were not allowed to see them.

Mother testified that she currently lived in Tennessee with her mother and sister. She had no job and no source of income in California. She tried to regain custody of the children, but it was denied by the State of Virginia. She did not have the money to fly the children to visit with her. She had completed rehabilitation and was no longer taking drugs. Mother tried to call the children, but she was usually forced to leave a message or Grandfather would not let her speak to them. She had some email and telephone contact with C.H.

Mother was not allowed to visit in March 2011. She understood that she lost her children because she was using drugs; however, she testified, “. . . I think I have suffered enough.” Mother sent cards and letters to the children. Mother had given no child support in the prior year because she was unemployed.

Mother had three felony convictions for child neglect. She admitted that all of the drug paraphernalia and chemicals were in their house and that is why she pleaded guilty. She also admitted having C.H. help her make drugs.

Between 2007 and June 2010, Mother never came to visit the children. Mother did not exercise her right to have the children visit her in the summer because she thought the grandparents would not allow it. Mother wanted D.G. and R.G. to be the guardians.

Grandmother denied that D.G. ever witnessed Grandfather slap Father. Grandfather denied that he had ever hit H.H. III in the head. Grandfather insisted that any unaccepted calls from Mother and Father were at the children's request.

D. *Argument and Ruling*

After all of the testimony was presented, counsel for the grandparents argued that Mother and Father had abandoned the children under section 7822, subdivisions (a)(2) and (b). Mother and Father had made only "token" efforts to contact the children. Mother never tried to enforce the Virginia visitation order. By the time Father was to be released from prison, H.H. III would be 17 years old, and L.H. would not even know him. Further, counsel for the grandparents renewed the motion for judgment based on the convictions. Evidence of what occurred in the prior conviction was before the court. Mother was unfit because she cooked methamphetamine in the house with all three children present. Father's felony convictions showed that he was incapable of being a parent. Moreover, the children themselves wanted the parental rights terminated so they could stay with the grandparents.

Father argued that the time period for abandonment that was relevant was from June 20, 2010, until December 20, 2010. He testified he never stopped trying to contact the children. The grandparents stopped the contact in August 2010. Father had turned his life around in prison.

Mother's counsel addressed the prior conviction. The issue was whether there was evidence of a future harm. She argued there was no clear and convincing evidence that her felony conviction would cause future harm. There was no abandonment.

The trial court concluded that the most honest and heartfelt testimony came from C.H. Mother clearly involved C.H. in making methamphetamine. The trial court stated that involving a child in making drugs "is a crime that I think puts at least in strong question whether or not these parents' rights should be terminated, because you are involving this child in something that is not only dangerous to themselves but dangerous to others, and it was extremely disturbing to her to be involved in this."

Further, the trial court noted that Father lied about the chemicals being around the children. Additionally, Father's statement that in 2014 they will all be a happy family does not take into consideration what he did to the children. The trial court noted, "And dad thinking that in 2014 it can all be changed and different because he's out of prison is not being a good parent. It's not a good, responsible reaction to what horror he caused to these children."

Additionally, Mother, despite being off probation, never tried to move to California to be closer to the children. She would have figured out a way to see the children if she really wanted to be a parent. Further, Mother took no financial responsibility for the children.

The trial court concluded, "It is a significant step to . . . terminate parental rights and there has to be a lot done on behalf of the parents as far as avoiding the responsibilities and the connections and the attachment in order for that to be done. In

this case, I think the father very clearly, as far as his crimes were such and his lack of acknowledgement of what harm they did to these children, shows that . . . these are crimes that are subject to his rights being terminated and the continuing harm because he has no realization as to the harm he's done to the children and the ongoing harm that is done to the children without the acknowledgement. [¶] With respect to [Mother], it's also the crime was child endangerment; it was involving of this child in the making of methamphetamine, and there are indications by her own actions that she has not taken any steps to take on the day-to-day responsibilities of being a parent, only accepting the benefits of being a parent by getting the phone calls and having the responsibilities of finances imposed upon her by the authorities. [¶] For these reasons, I believe that I need to grant the petitions to terminate both the parental rights of [Father] and [Mother]”

On December 7, 2011, the order for granting the petition and amended petition stated the termination was under section 7825, subdivision (a) in that “[Mother and Father] have been convicted of felonies and the facts of the crimes of which the parents were convicted are of such a nature so as to prove the unfitness of the parents to have the future custody and control of the child[ren].” The court found the petition for removal of guardians filed by D.G. and R.G. to be moot.

Mother and Father filed their timely notices of appeal from the judgment granting freedom from parental custody and control.

II

FAMILY CODE SECTION 7825

The trial court declared the children free from the custody and control of Father and Mother based on findings that Mother and Father had committed felonies and that the underlying facts were of such a nature so as to prove their unfitness as parents under section 7825. Although the trial court also alluded to facts in its oral ruling that may support termination under section 7822, and both Mother and Father extensively argue that such finding was not supported by the evidence, we need not address those findings here. Sufficient evidence supports the trial court's finding under section 7825.

Section 7825 states in part: “(a) A proceeding under this part may be brought where both of the following requirements are satisfied: [¶] (1) The child is one whose parent or parents are convicted of a felony. [¶] (2) The facts of the crime of which the parent or parents were convicted are of such a nature so as to prove the unfitness of the parent or parents to have the future custody and control of the child. In making a determination pursuant to this section, the court may consider the parent's criminal record prior to the felony conviction to the extent that the criminal record demonstrates a pattern of behavior substantially related to the welfare of the child or the parent's ability to exercise custody and control regarding his or her child.” The felony conviction must involve “egregious underlying facts that have a direct bearing on parental fitness” (*In re Baby Girl M.* (2006) 135 Cal.App.4th 1528, 1539 (*Baby M.*))

In *Baby M.*, *supra*, 135 Cal.App.4th 1528, the trial court terminated a father's parental rights based on his felony convictions of burglary, attempted burglary, and drug

possession; his extensive misdemeanor record; and the court’s finding that the father had not “adequately addressed the problems which have led to his criminality.” (*Id.* at p. 1531.) The Court of Appeal reversed, holding that “section 7825 appl[ies] to terminate parental rights only where a parent’s unfitness is demonstrated by *the facts* underlying a felony conviction. [Citation.]” (*Id.* at p. 1532.)

The *Baby M.* court specifically laid out the standard of review in cases involving termination of parental rights due to felony convictions. It explained, “[T]here must be a nexus between the decision to terminate parental rights under section 7825 and the *underlying facts* of a parent’s felony conviction. This requirement of a nexus is not satisfied simply by the existence of a felony conviction or even the existence of multiple felony convictions absent evidence that the underlying facts of those convictions ‘prove the unfitness of the parent . . . to have the future custody and control of [his] child.’ [Citation.] In so holding, we do not preclude consideration of other factors, such as an extensive criminal record, history of substance abuse, domestic violence, etc., which, in appropriate circumstances, can inform the court’s evaluation of the facts underlying a felony conviction or convictions. Under section 7825, however, such factors can only *inform* that evaluation; they cannot themselves form the basis for termination.” (*Baby M., supra*, 135 Cal.App.4th at p. 1542.)

In reviewing the decision to terminate parental rights, we apply a substantial evidence standard of review to the trial court’s findings. (*In re Amy A.* (2005) 132 Cal.App.4th 63, 67; *In re B.J.B.* (1986) 185 Cal.App.3d 1201, 1211.) All of the trial

court's findings must be made by clear and convincing evidence. (*Amy A.*, at p. 67; § 7821.)

Here, the evidence was sufficient to support the court's finding of unfitness under the clear and convincing evidence standard. Father committed a crime that took him away from the children for a majority of their childhoods. Although Father insisted that he did not commit his crimes in front of the children and did not put them in danger, he acknowledged that one of his cohorts had left chemicals on his front doorstep. C.H. insisted that there were dangerous chemicals in the Virginia houses. She testified that both Mother and Father made drugs for their friends. Further, Mother contradicted Father's testimony by admitting there were chemicals in the house. The trial court specifically noted in its ruling that Father had lied about the chemicals being in the house. It was reasonably inferred by the trial court that such chemicals were in the house while Father was present, and that he put his children in significant danger. A fit parent would not put his own child in a situation that could have caused irreparable harm or even death to the children. Further, Father had no insight into his crimes because he continued to lie and tell his children that everything would be perfect once he was out of prison.

Moreover, the evidence clearly establishes that Mother not only manufactured methamphetamine in the home but also enlisted C.H. to cut up matches for her and dip them in antifreeze as a part of the methamphetamine-making process. Not only did Mother have C.H. help her, she also tried to get C.H. to use methamphetamine. This was egregious behavior showing parental unfitness. Although Mother extolled that she was changed and that she was sober and had "suffered enough," the trial court could conclude

that the underlying facts of her crimes of child endangerment warranted termination of her parental rights. Mother lacked any type of insight into her crimes and the impact it had on her children, thinking only of her own needs.

Father claims that the trial court did not find that facts of his felony involved the children. However, as noted above, the trial court specifically referred to the fact that Father had lied about not having chemicals in the house. Mother insists that the trial court did not take into account her successful recovery and sobriety. As set forth *ante*, the trial court did not need to consider that factor. (See *Baby M.*, *supra*, 135 Cal.App.3d at p. 1543.) Mother had her own 12-year-old daughter assist her in making dangerous drugs in their own home. This type of disregard for her own daughter's safety shows complete unfitness to be a parent. Mother continued to be unemployed and had done little to establish any type of parental role in the lives of C.H., H.H. III, or L.H. The trial court properly terminated the parental rights of Mother and Father.

III

DISPOSITION

The orders terminating parental rights as to the children are affirmed.

NOT TO BE PUBLISHED IN OFFICIAL REPORTS

RICHLI
J.

We concur:

RAMIREZ
P. J.

HOLLENHORST
J.